

R E M A R K S

Claims 10 and 20 were rejected under 35 USC 112, first paragraph for the reasons set forth in the paragraph bridging pages 2 and 3 of the Office Action.

Claims 10 and 20 were canceled hereinabove.

It is respectfully submitted that the present claims comply with all the requirements of 35 USC 112.

Claims 2, 3, 5 to 9, 12, 13 and 15 to 19 were rejected under 35 USC 103 as being unpatentable over Suzuki et al. USP 6,514,428 for the reasons set forth on pages 3 to 4 of the Office Action.

It is noted that claims 4 and 14 are not included in the obviousness rejection.

Suzuki et al. USP 6,514,428 is a reference as of its April 11, 2001 United States filing date.

This application is a U.S. national phase application under 35 USC 371 of International application PCT/JP00/07209 filed October 18, 2000, which is before the April 11, 2001 United States filing date of Suzuki et al.

International application PCT/JP00/07209 was published in English as WO 01/29851A1, a copy of which is enclosed.

Appl. No. 09/857,998  
Amdt. dated August 11, 2003  
Reply to Office Action of May 21, 2003

Of record is an English-language translation of applicants' priority document (JP 295440/1999), along with a STATEMENT OF ACCURACY OF TRANSLATION of Mr. Yosuke GOTO dated October 16, 2002. JP 295440/1999 was filed on October 18, 1999.

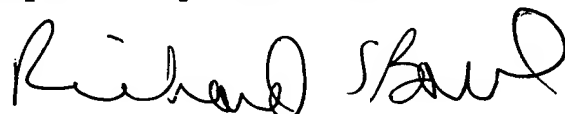
In view of the above, it is respectfully requested that Suzuki et al. be withdrawn as a reference and that the 35 USC 103 rejection be withdrawn.

Reconsideration is requested. Allowance is solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Frishauf, Holtz, Goodman  
& Chick, P.C.  
767 Third Ave., 25th Floor  
New York, NY 10017-2023  
Tel. Nos. (212) 319-4900  
(212) 319-4551/Ext. 219  
Fax No.: (212) 319-5101  
E-Mail Address: BARTH@FHGC-LAW.COM  
RSB/ddf

Respectfully submitted,

  
\_\_\_\_\_  
Richard S. Barth  
Reg. No. 28,180

Enc.: Copy of WO 01/29851A1